

Scriven King
MuckRock News
DEPT MR 6442
P.O. Box 55819
Boston, Massachusetts 02205-5819

RE: FOIA Request No. 13-02047-F

Dear Mr. King:

This is in response to your August 6, 2013, Freedom of Information Act (FOIA) request for the following records from 2006 forward:

1. Any and all documents to include purchase orders, correspondence, emails, and pending contracts related to firearms used by the Department of Education.
2. Any and all documents, correspondence, and emails related to annual firearms training requirements for the Department of Education.
3. Any and all documents, photos, correspondence related to search warrants executed where forced entry was used.
4. Any and all documents, correspondence, emails, and photos of equipment used in the service of search warrants executed by the Department of Education.
5. Any and all documents, regulations, and standard operating procedure regarding the execution of search warrants and arrest warrants.
6. Any and all emails pertaining to requests for aid from local law enforcement to assist in the execution of search warrants and arrest warrants.
7. Any and all regulations, correspondence regarding the use of informants by the Department of Education.
8. Any and all documents pertaining to ballistic shielding used in the execution of search warrants and arrests.

We will provide you 171 pages of documents responsive to item 1. We have redacted information pursuant to Exemption (b)(6) and (b)(7)(C) of FOIA. These exemptions protect personal privacy interests. In addition, we are withholding documents relating to a draft, still pending firearms purchase, pursuant to Exemption (b)(5) of FOIA. Exemption (b)(5) protects disclosure of predecisional documents that are deliberative.

Documents responsive to item 2 are located at www.ignet.gov/pande/leg/igactasof1010.pdf and www.ignet.gov/pande/standards/invstds2011.pdf.

We are denying access to documents responsive to item 3 pursuant to Exemption (b)(7)(A) of FOIA. Exemption (b)(7)(A) protects records or information compiled for law enforcement purposes, but only to the extent that the production of such records or information could reasonably be expected to interfere with enforcement proceedings.

Exemption (b)(7)(A) will be inapplicable once the investigation process is formally closed. Therefore, you may wish to make another FOIA request at a later date when we may be able to review available documents and issue a formal determination.

We will provide you 45 pages of information responsive to item 5 of your request, some of which are redacted pursuant to Exemptions (b)(6) and (b)(7)(E) of FOIA. Exemption (b)(7)(E) protects investigative techniques. We also will provide you 29 pages of information responsive to item 7 of your request, much of which is redacted pursuant to Exemption (b)(7)(E).

We do not have documents responsive to item 8 of your request.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

We will provide you the above-described documents promptly. In addition, we are continuing to search for any additional documents that might be responsive to items 1, 4, and 6 of your request, which is a time consuming search. We will provide a follow up response and we will provide appeal rights at that time.

Should you have any questions concerning this response, please contact Ms. Chaun Eason, our FOIA and Privacy Act Coordinator, on (202) 245-7001.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Marta Erceg', with a stylized flourish at the end.

Marta Erceg
Counsel to the Inspector General

cc: Department's FOIA Office